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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/134,270	08/14/1998	TAKASHI TSURUMOTO	SONYJP-3.0-0	7799

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LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK
600 SOUTH AVENUE WEST
WESTFIELD, NJ 07090

EXAMINER

LONSBERRY, HUNTER B

ART UNIT	PAPER NUMBER
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2611

DATE MAILED: 10/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/134,270

Applicant(s)

TSURUMOTO, TAKASHI

Examiner

Hunter B. Lonsberry

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 8/14/1998 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,850,218 to LaJoie in view of U.S. Patent 6,160,989 to Hendricks.

Regarding claims 13-15 and 20, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Hendricks discloses in Table C, event data information, each of which is transmitted on a separate data stream (column 20, lines 21-45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claim 16, LaJoie discloses in Figure 5, a description information section 125 which contains a plurality of messages.

Regarding claim 17, LaJoie discloses in Figure 5, a split parameter table 107, which identifies a corresponding section within a first data table.

Regarding claim 18, LaJoie discloses that the second table identifies an attribute of the message (column 16, lines 52-67).

Regarding claim 19, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 21-24, LaJoie discloses in Figure 5 a video parameter table 105 which identifies the sources for a number of streams stream. Hendricks discloses that table information may be transmitted on different bit streams (column 19, line 56-column 20, line 45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify LaJoie to utilize two different transponders to transmit information on different bit streams as taught by Hendricks, Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claim 25-28 and 32, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie discloses that the IPG and other messages are received via out of band tuner 42 via headend 2, and

from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Hendricks discloses in Table C, event data information, each of which is transmitted on a separate data stream (column 20, lines 21-45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claim 29, LaJoie discloses in Figure 5, a split parameter table 107, which identifies a corresponding section within a first data table.

Regarding claim 30, LaJoie discloses that the second table identifies an attribute of the message (column 16, lines 52-67).

Regarding claim 31, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 33-36, LaJoie discloses in Figure 5 a video parameter table 105 which identifies the sources for a number of streams stream. Hendricks discloses that table information may be transmitted on different bit streams (column 19, line 56-column 20, line 45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify LaJoie to utilize two different transponders to transmit information on different bit streams as taught by Hendricks, Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claims 37-39, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie discloses that the IPG and other messages are received at the STB 6 via out of band tuner 42 via headend 2, and from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie does not disclose transmitting two bit streams, each of which contains its own table data. Hendricks discloses in Table C, event data information, each of which is transmitted on a separate data stream (column 20, lines 21-45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claim 40, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 41-42, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie also discloses a

CPU 30 inside of set top box 6 which is used to read the table and IPG data (column 13, lines 22-50). LaJoie des not disclose transmitting two bit streams, each of which contains its own table data. Hendricks discloses in Table C, event data information, each of which is transmitted on a separate data stream (column 20, lines 21-45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Regarding claim 43, LaJoie discloses in Figure 35, an urgent message display. LaJoie inherently places a location in the data table which specifies the source of the message, as LaJoie must have a location to read such a message from.

Regarding claims 44-47, LaJoie discloses in Figure 5, a service table 111 comprised of a number of messages containing descriptive information 125, a second table 107 contains data which identifies a location of data within the first data table, the data table has a number of sections 1-16 with an index, additionally the table designates the originator of the message via a source attribute. LaJoie also discloses a CPU 30 inside of set top box 6 which is used to read the table and IPG data from memory 32 (column 13, lines 22-50), IPG and other messages are received at the STB 6 via out of band tuner 42 via headend 2, and from application server 15 (column 10, lines 20-42, column 14, lines 1-30) and encoded via ICG 18 (column 12, lines 11-19). LaJoie des not disclose transmitting two bit streams, each of which contains its own table data. Hendricks discloses in Table C, event data information, each of which is

transmitted on a separate data stream (column 20, lines 21-45). Therefore, it would have been obvious to one skilled in the art at the time of invention to modify the tables of LaJoie to be transmitted on separate data streams as taught by Hendricks in order to utilize the additional bandwidth a second data stream would provide for carrying event data.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hunter B. Lonsberry whose telephone number is 703-305-3234. The examiner can normally be reached on Monday-Friday normal business hours.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5359 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

HBL
October 21, 2002


ANDREW FAILE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600